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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,235	10/28/2003	Candice Hellen Brown Elliott	8831.0061	5254

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CLAIRVOYANTE, INC.
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EXAMINER

KOSTAK, VICTOR R

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 03/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/696,235	ELLIOTT ET AL.	
	Examiner	Art Unit	
	Victor R. Kostak	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) 1-6, 12-23 and 28-32 is/are rejected.
- 7) ☒ Claim(s) 7-11 and 24-27 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 10/28/03 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

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1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet **within the range of 50 to 150 words**. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

3. Claims 30-35 are objected to because of the following informalities: dependent claims 30-31, 34 and 35 all introduce the "*method of ...*" but base claim 29 is an apparatus claim

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reciting "*An image processing system ...*". The dependent claims also lack steps but recite further structural limitations. Appropriate correction is required.

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 28 is rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for the subject matter defined in claims 1-27 and 29-32, does not reasonably provide enablement for the subject matter defined by claim 28. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention commensurate in scope with these claims.

Claim 28 recites the condition of rendering an output image in HDTV format on a display, wherein the resolution of the display is (approximately) one half of the HDTV format. If the display can accommodate at most only one half the resolution of an HDTV formatted signal, then it cannot display an HDTV formatted signal. In section [037] of applicant's specification, the format discussed therein to be rendered is not actually HDTV but is supposedly of HDTV *quality*. The manipulation of subpixel data to achieve a kind of pseudo-HDTV is not the same thing as real HDTV that comprises full pixels, and which would not be able to be displayed on a monitor that cannot accommodate it. The other claims do not exactly require such.

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5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6, 18-23 and 29-32 are rejected under 35 U.S.C. 102(b) as being anticipated by Bahr.

The image convertor of Bahr (noting particularly Figs. 1B, 1C, 8, 9 and 11) includes an input 50 (Fig. 8) that receives a plurality of source image data (i.e. multiple NTSC signals) that comprise plural image formats (each of the multiple source data comprises the NTSC formats, plural data therefore being plural but the same respective format; resampling circuitry 53 to form plural respective target formats corresponding to the plural input source formats (i.e. doubling, tripling the line count); a display (e.g. Fig. 1C) that renders the target image data wherein the resolution of the display comprises one half the resolution of the largest of the plurality of target image data formats. This is met by the arrangement of the display being a 2x2 matrix (col. 10 lines 4-9) and the lines are doubled with respect to the input (col. 5 lines 28-35) thereby displaying a doubled resolution on the composite matrix but each screen one half (being equal to the same original resolution) of the doubled target format, thereby meeting claims 1, 18 and 29.

As for claims 2 and 19, the input format can be NTSC (noting element 50 in Fig. 8).

As for claims 3 and 20, the target format is HDTV since it is (at least) double the input NTSC format.

Regarding claims 4 and 21, the resolution of the display is one half the HDTV resolution when a 2x2 matrix of standard NTSC units are used.

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As for claims 5, 22 and 30, the circuitry interpolates (i.e. adds lines in between the original lines) the source data to increase the resolution for display on the larger composite screen.

As for claims 6, 23 and 31, the source data can be duplicated (col. 5 lines 28-35) for increasing the resolution.

6. Claims 12-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Blacken et al.

The multimode display system of Blacken (noting particularly Figs. 4-6) accepts a plurality of source image data formats (multiple frame memory configurations for readout to a display), which system includes communication circuitry 50 (Fig. 6) that communicates a set of display options to an external microprocessor 18, the communication circuitry comprising plural storage (multiple sections in ROM 52) that can be readout out due to the data being in machine-readable form, and which is applied to frame memory 16; selection circuitry 58 is used to select a display format option; and interface circuitry (electrical connector) from ROM 52 to microprocessor 18 that enables communication of the display format options to the microprocessor, thereby meeting claims 12 and 13.

As for claim 14, the selector includes a multiplexer (col. 7 lines 8-11).

As for claim 15, a user selects the format with a selection signal (col. 6 lines 28-33).

7. Claims 16 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Parikh.

The video format convertor of Parikh (noting Figs. 3, 4, 7) can accommodate any of plural input formats for conversion and display of one of plural target formats (col. 2 lines 7-12), the system including resampling the source data comprising pixels arranged in lines (i.e.,

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an input interlaced signal), wherein pixel doubling is accomplished by virtue of the lines being doubled to form a progressive format (e.g. output of filter 360), and wherein the pixel doubling circuitry involves interpolation coefficients of four-tap vertical filter of $-1/16$, $9/16$, $9/16$ and $1/16$ (col. 5 lines 52-54), thereby meeting claim 16.

As for claim 17, four-tap vertical filter enables the line interpolation as the pixels comprising the lines that are thereby doubled.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

9. Claims 7-11 and 24-27 appear allowable over the prior art.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor R. Kostak whose telephone number is 703 305-4374. The examiner can normally be reached on Monday - Friday from 6:30am-3:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 703 305-4795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or faxed to:

(703) 872-9306 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 308-HELP.



Victor R. Kostak
Primary Examiner
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VRK